

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE COLUMBIA UNIVERSITY  
PATENT LITIGATION

MDL No. 1592 (MLW)

This Document Relates To All Actions

**COLUMBIA UNIVERSITY'S MOTION TO STAY LITIGATION PENDING  
CONCLUSION OF REEXAMINATION AND REISSUE PROCEEDINGS IN THE  
PATENT AND TRADEMARK OFFICE**

Defendant The Trustees of Columbia University in the City of New York ("Columbia") hereby moves this Court for an order staying these consolidated proceedings pending the outcome of the recently announced reexamination of U.S. Patent No. 6,455,275 by the Patent and Trademark Office, as well as Columbia's forthcoming request for reissuance of this patent.

The grounds for this motion are set forth in the concurrently filed (a) Columbia University's Memorandum of Law in Support of its Motion to Stay All Proceedings Pending Patent Reexamination; and (b) the Declaration of David I. Gindler, Esq. A proposed form of order is attached to this Motion.

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7-1(d), oral argument is hereby requested.

Respectfully submitted,

THE TRUSTEES OF COLUMBIA  
UNIVERSITY IN THE CITY OF NEW  
YORK

By its attorneys,

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DATED: June 10, 2004

**Certificate Of Compliance With Local Rule 7.1**

We, David I. Gindler and Wayne M. Barsky, hereby certify that on June 8, 2004, counsel for Columbia conferred by telephone with counsel for all parties, with respect to the issues raised in this motion, and that counsel were unable to resolve them.

/s/ David I. Gindler  
David I. Gindler

/s/ Wayne M. Barsky  
Wayne M. Barsky

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**[PROPOSED] ORDER OF STAY**

This matter having come before the Court upon the motion of Defendant The Trustees of Columbia University in the City of New York for an order staying these consolidated proceedings pending the outcome of the recently announced reexamination of U.S. Patent No. 6,455,275 by the Patent and Trademark Office, as well as Columbia's request for reissuance of this patent, it is hereby ORDERED as follows:

1. The motion is GRANTED. All proceedings in this multidistrict litigation are stayed pending the conclusion of reexamination and reissuance proceedings.
2. The parties shall promptly report to the Court the final outcome of the reexamination and reissuance proceedings.

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Honorable Mark L. Wolf  
United States District Judge

Boston, Massachusetts

Dated: